



1647

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Seung U. Kim  
 Serial No. : 09/887,145  
 Filed : June 22, 2001  
 For : "IMMORTALIZED HUMAN MICROGLIA  
 CELL AND CONTINUOUS CELL LINE"  
 Examiners : Christopher J. Nickols & Gary Kunz  
 Group Art Unit : 1647  
 Attorney's Docket No. : UBC-002

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 20231 on March 14, 2003.

Attorney for applicant: David Prasken  
 Signature: [Signature]  
 Date: March 14, 2003

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

In response to the non-final Office Action mailed February 20<sup>th</sup>,  
 2003 for the above-identified application in which a Restriction  
 Requirement pursuant to 35 U.S.C. 121 has been made, applicant now  
 formally takes the following actions and positions:

(i). Applicant formally traverses the Restriction Requirement as presented by the Examiners for the reasons stated below; and

(ii). Applicant provisionally elects to prosecute original claims 1-14 respectively, designated as Invention I, which are drawn to a genetically modified human microglia cell.

#### REMARKS

1. Applicant respectfully submits and maintains that all of claims 1-17 respectively now pending constitute a single and unitary invention; and recite an integrated subject matter constituting one individual invention having multiple aspects and alternative definitional formats. The subject matter as a whole comprising applicants' unitary invention is defined in the alternative by the scope and the specific subject matter recited by claims 1-14 and claims 15-17 cumulatively and collectively; and each set of claims is directly and intimately related to all the other.

The Examiners will recognize and appreciate that original independent claim 1 defines a genetically modified human microglia cell; which is the resulting composition of matter and intended consequence of original independent claim 15; and which defines a method for transforming human microglia cells into a genetically modified cell line, which *per force* includes the cell of claim 1 within it.